

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

April 9, 2003

IN RE:

**PETITION OF UNITED CITIES GAS COMPANY
TO AMEND THE PERFORMANCE BASED
RATEMAKING MECHANISM RIDER TO ITS TARIFF**

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**DOCKET NO.
02-00850**

**ORDER SUSPENDING TARIFF FOR AN ADDITIONAL NINETY (90) DAYS,
CONVENING A CONTESTED CASE PROCEEDING, GRANTING INTERVENTION
AND APPOINTING A PRE-HEARING OFFICER**

This matter came before Director Deborah Taylor Tate, Director Pat Miller and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on March 3, 2003 for consideration of the *Petition of United Cities Gas Company to Amend the Performance Based Ratemaking Mechanism Rider to its Tariff* ("Tariff"). The Tariff was filed on August 9, 2002 with an effective date of September 8, 2002.

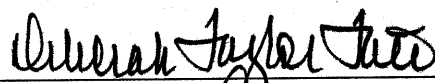
At a regularly scheduled Authority Conference held on August 19, 2002, the panel voted unanimously to suspend the Tariff for ninety days, from September 8, 2002 through December 7, 2002. On December 2, 2002 the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") filed a *Petition to Intervene* ("Petition") in this matter. During the regularly scheduled Authority Conference held that same day, the panel voted unanimously to suspend the Tariff an additional ninety days, from December 8, 2002 through March 7, 2003.¹

¹ These suspensions have been ordered in this docket because consideration of the Tariff in this docket may depend upon the final decision in another active docket, Docket No. 01-00704.

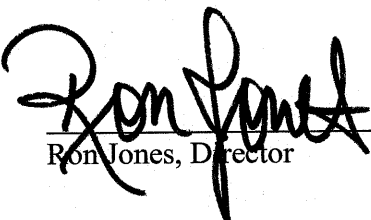
During the March 3, 2003 Authority Conference, the panel voted unanimously to convene a contested case proceeding in this matter, grant intervention to the Consumer Advocate, suspend the Tariff for an additional ninety days from March 8, 2003 through June 5, 2003, and appoint the Authority's General Counsel or his designee to act as the Pre-Hearing Officer in this proceeding to hear preliminary matters prior to the Hearing, to rule on any petition(s) for intervention, and to set a procedural schedule to completion.

IT IS THEREFORE ORDERED THAT:

1. A contested case proceeding is convened;
2. The Consumer Advocate and Protection Division of the Office of the Attorney General is granted leave to intervene and receive copies of any notices, orders or other documents in this matter;
3. The *Petition of United Cities Gas Company to Amend the Performance Based Ratemaking Mechanism Rider to its Tariff* is suspended through June 5, 2003; and
4. The General Counsel or his designee is appointed Pre-Hearing Officer in this matter to hear preliminary matters prior to the Hearing, to rule on any petition(s) for intervention, and to set a procedural schedule to completion.


Deborah Taylor Tate, Director


Pat Miller, Director


Ron Jones, Director